

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:18-cv-09495-PAC**

New York Legal Assistance Group v. Board of Immigration  
Appeals et al  
Assigned to: Judge Paul A. Crotty  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/17/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**New York Legal Assistance Group**

represented by **Danielle Feldman Tarantolo**  
New York Legal Assistance Group  
7 Hanover Square  
New York, NY 10004  
(212)–613–5000  
Fax: (212)–714–7589  
Email: [dtarantolo@nylag.org](mailto:dtarantolo@nylag.org)  
**ATTORNEY TO BE NOTICED**

**Jane Greengold Stevens**  
New York Legal Assistance Group  
7 Hanover Square  
New York, NY 10004  
(212) 613–5031  
Fax: (212) 750–0820  
Email: [jstevens@nylag.org](mailto:jstevens@nylag.org)  
**ATTORNEY TO BE NOTICED**

**Patrick Daniel Llewellyn**  
Public Citizen Litigation Group  
1600 20th Street NW  
Washington, DC 20009  
(202) 588–7727  
Fax: (202) 588–7795  
Email: [pllewellyn@citizen.org](mailto:pllewellyn@citizen.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Board of Immigration Appeals**

represented by **Arastu Kabeer Chaudhury**  
U.S. Attorney Office SDNY  
86 Chambers Street  
New York, NY 10007  
(212) 637–2633  
Fax: (212) 637–2750  
Email: [arastu.chaudhury@usdoj.gov](mailto:arastu.chaudhury@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Executive Office For Immigration  
Review**

represented by **Arastu Kabeer Chaudhury**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Department Of Justice**

represented by **Arastu Kabeer Chaudhury**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
10/17/2018	<u>1</u>	COMPLAINT against Board of Immigration Appeals, Executive Office For Immigration Review, U.S. Department Of Justice. (Filing Fee \$ 400.00, Receipt Number ANYSDC-15760435) Document filed by New York Legal Assistance Group.(Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018	<u>2</u>	CIVIL COVER SHEET filed. (Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018	<u>3</u>	MOTION for Patrick Daniel Llewellyn to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-15760888. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by New York Legal Assistance Group. (Attachments: # <u>1</u> Affidavit of Patrick D. Llewellyn, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Board of Immigration Appeals, re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Executive Office for Immigration Review, re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>3</u> MOTION for Patrick Daniel Llewellyn to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-15760888. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma)</b> (Entered: 10/17/2018)
10/17/2018	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of Justice, re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Board of Immigration Appeals (USAO), re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Llewellyn, Patrick) (Entered: 10/17/2018)
10/17/2018	<u>8</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Board of Immigration Appeals (Attorney General), re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Llewellyn, Patrick) (Entered: 10/17/2018)
10/18/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Paul A. Crotty. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (pc) (Entered: 10/18/2018)
10/18/2018		Magistrate Judge Henry B. Pitman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (pc) (Entered: 10/18/2018)
10/18/2018		Case Designated ECF. (pc) (Entered: 10/18/2018)
10/18/2018	<u>9</u>	NOTICE OF APPEARANCE by Danielle Feldman Tarantolo on behalf of New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 10/18/2018)
10/18/2018	<u>10</u>	NOTICE OF APPEARANCE by Jane Greengold Stevens on behalf of New York Legal Assistance Group. (Stevens, Jane) (Entered: 10/18/2018)
10/18/2018	<u>11</u>	FIRST RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by New York Legal Assistance Group.(Tarantolo, Danielle) (Entered: 10/18/2018)

		10/18/2018)
10/18/2018	<u>12</u>	ELECTRONIC SUMMONS ISSUED as to Board of Immigration Appeals. (pc) (Entered: 10/18/2018)
10/18/2018	<u>13</u>	ELECTRONIC SUMMONS ISSUED as to Board of Immigration Appeals. (pc) (Entered: 10/18/2018)
10/18/2018	<u>14</u>	ELECTRONIC SUMMONS ISSUED as to Board of Immigration Appeals. (pc) (Entered: 10/18/2018)
10/18/2018	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department Of Justice. (pc) (Entered: 10/18/2018)
10/18/2018	<u>16</u>	ELECTRONIC SUMMONS ISSUED as to Executive Office For Immigration Review. (pc) (Entered: 10/18/2018)
10/22/2018	<u>17</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). Board of Immigration Appeals served on 10/22/2018, answer due 11/21/2018. Service was accepted by Hao Jun, Civil Clerk, U.S. Attorney's Office – SDNY. Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 10/22/2018)
10/31/2018	18	ORDER granting <u>3</u> Motion for Patrick Daniel Llewellyn to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Paul A. Crotty)(Text Only Order) (dgo) (Entered: 10/31/2018)
11/21/2018	<u>19</u>	LETTER MOTION for Conference <i>re the Government's anticipated motion to dismiss</i> addressed to Judge Paul A. Crotty from Arastu K. Chaudhury dated November 21, 2018. Document filed by Board of Immigration Appeals, Executive Office For Immigration Review, U.S. Department Of Justice.(Chaudhury, Arastu) (Entered: 11/21/2018)
11/27/2018	<u>20</u>	LETTER RESPONSE in Opposition to Motion addressed to Judge Paul A. Crotty from Patrick D. Llewellyn dated 11/27/2018 re: <u>19</u> LETTER MOTION for Conference <i>re the Government's anticipated motion to dismiss</i> addressed to Judge Paul A. Crotty from Arastu K. Chaudhury dated November 21, 2018. <i>and Concurrently Requesting a Conference re NYLAG's anticipated cross-motion for summary judgment.</i> Document filed by New York Legal Assistance Group. (Llewellyn, Patrick) (Entered: 11/27/2018)
11/29/2018		Notice of Pre-Motion Conference: A Pre-Motion Conference is scheduled to go forward on: Wednesday, December 19, 2018 @ 11:15 AM, 500 Pearl Street, Courtroom 14-C before Judge Paul A. Crotty. If the date is not convenient, either party can e-mail three (3) mutually convenient dates to the Courtroom Deputy at: David_C_Gonzalez@nysd.uscourts.gov ----- A PDF IS NOT ATTACHED TO THIS ENTRY ----- (By: David Gonzalez – Courtroom Deputy).(dgo) (Entered: 11/29/2018)
12/17/2018		Calendar Entry *DATE CHANGE*: The Pre-Motion Conference scheduled to go forward on Wednesday, December 19, 2018 is rescheduled to: Thursday, January 17, 2019 @ 12:45 PM before Judge Paul A. Crotty, U.S.D.J, Courtroom 14C, 500 Pearl Street, NY, NY. Reason for adjournment: the 12/19/18 no longer a convenient date for the Court. A PDF IS NOT ATTACHED TO THIS ENTRY. (dgo) (Entered: 12/17/2018)
12/20/2018	<u>21</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Paul A. Crotty from Patrick D. Llewellyn & Arastu K. Chaudhury dated 12/20/2018. Document filed by New York Legal Assistance Group.(Llewellyn, Patrick) (Entered: 12/20/2018)
12/27/2018	<u>23</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (ne) (Entered: 01/07/2019)
12/27/2018		Case Stayed (ne) (Entered: 01/17/2019)
01/04/2019	<u>22</u>	ORDER granting <u>21</u> Letter Motion to Adjourn Conference. The proposed briefing schedule is adopted. The January 17, 2019 conference is adjourned. SO ORDERED. (Signed by Judge Paul A. Crotty on 1/4/19) (yv) (Entered: 01/04/2019)

01/04/2019		Set/Reset Deadlines: Cross Motions due by 2/22/2019. Motions due by 1/25/2019. Responses due by 3/22/2019. Replies due by 4/12/2019. (yv) (Entered: 01/04/2019)
03/01/2019	<u>24</u>	MOTION to Dismiss ., MOTION for Summary Judgment . Document filed by Board of Immigration Appeals, Executive Office For Immigration Review, U.S. Department Of Justice.(Chaudhury, Arastu) (Entered: 03/01/2019)
03/01/2019	<u>25</u>	MEMORANDUM OF LAW in Support re: <u>24</u> MOTION to Dismiss . MOTION for Summary Judgment . . Document filed by Board of Immigration Appeals, Executive Office For Immigration Review, U.S. Department Of Justice. (Chaudhury, Arastu) (Entered: 03/01/2019)
03/01/2019	<u>26</u>	DECLARATION of Joseph R. Schaaf in Support re: <u>24</u> MOTION to Dismiss . MOTION for Summary Judgment .. Document filed by Board of Immigration Appeals, Executive Office For Immigration Review, U.S. Department Of Justice. (Chaudhury, Arastu) (Entered: 03/01/2019)